



**CITY OF FITCHBURG MASSACHUSETTS
CITY COUNCIL CALENDAR**

September 20, 2016 7:00PM

**Memorial Middle School Library
615 Rollstone Street
Fitchburg MA 01420**

FITCHBURG CITY CLERK
16 SEP 15 11 47

WELCOME TO THE FITCHBURG CITY COUNCIL!

This is intended to help you understand the meeting format and assist you with the rules of the Council as they pertain to your participation.

All meetings of the Fitchburg City council are open to the public. This does not mean that the public participates in all aspects of the meeting. It simply means that the meeting itself, including all discussions and votes, is open for public view.

Executive Session

The only time a Council meeting can be closed to the public is when the Council votes for Executive Session in order to discuss sensitive matters in private, such as pending litigation. Any votes taken however, must be taken in open session.

OPPORTUNITIES FOR THE PUBLIC TO SPEAK DURING A COUNCIL MEETING:

Public Forum

The Public Forum occurs immediately following the Pledge of Allegiance. The President will ask if anyone in the audience wishes to speak on any matter appearing on the Agenda. If you wish to address the Council, you must stand and be recognized and follow these rules before speaking:

1. State your name and address.
2. Approach the center table and either stand or sit. This allows you to be seen and heard clearly by everyone in attendance.
3. You may speak only on items appearing on the agenda for no more than (2) minutes. Copies of the agenda are available on the center table prior to the meeting.
4. Please state the petition, order, ordinance, or resolution number to which you refer.

Public Hearings

Public hearings are held on various issues such as Special Permits and Zoning changes. The same rules apply with the following exceptions:

1. You must stand and be recognized either "in favor" or "in opposition" when asked by the Council President.
2. You need not refer to the petition number.

If you have any questions or comments either before or after the meeting, any Councillor would be happy to assist you.

Thank you for your interest!

I. PUBLIC FORUM

II. REPORT OF COMMITTEE ON RECORDS

III. COMMUNICATIONS FROM HIS HONOR THE MAYOR

Appointment Letters:

Disability Commission

1. Ms. Kathleen Hamelin, Term to expire February 1, 2019
2. Atty. Nicholas J. Carbone, Term to expire February 1, 2019
3. Ms. Carolyn Quirk, Term to expire February 1, 2019.

IV. ANNUAL REPORT

- 225-15. ANNUAL REPORT: City of Fitchburg Auditor's Report,
June 30, 2016.

V. REPORTS OF COMMITTEES

City Property Committee - Oral Report

Meeting of September 20, 2016

- 216-16. Calvin D. Brooks, City Treasurer, to declare as excess and designate the following properties to the Side Yard Sales Program:
- | | |
|------------------------|-----------------|
| 1. 768 Water Street | Parcel 122-9-0 |
| 2. 65 Minneapolis Ave. | Parcel 202-61-0 |
| 3. 0 Garnet Street | Parcel 31-34-2 |
- 218-16. Scott Ellis, Airport Manager, to authorize his Honor Mayor Stephen L. DiNatale, to execute a utility easement for 567 Crawford Street, Fitchburg, MA. For reason says, Verizon requires an easement prior to placing utility services on the Fitchburg Municipal Airport property located at 567 Crawford St.

Finance Committee

Meeting of September 13, 2016

- 195-16. City Solicitor Vincent Pusateri, II to:
1. Approve the fees schedule in the attached retainer agreement;
 2. Amend the Code of the City of Fitchburg by inserting Section 3-59 - The City Solicitor and Assistant City Solicitor shall be permitted to require third parties to pay the City of Fitchburg's legal fees for services actually performed at the rate of \$250.00 per hour for attorneys and \$125.00 per hour for paralegals. When doing so a retainer or fee agreement shall be forwarded to said third party along with a retainer request.
(Be Held in Committee)

- 206-16. Councillors Bean, Beauchemin, Green, Bisol and Clark, to restore the option to allow the City Council members to participate in health care benefits.
(Be Denied)
- 210-16. ORDERED THAT: The City of Fitchburg hereby approves the expenditure of funds from the Massachusetts Executive Office of Public Safety and Security, for the FY17-State 911 Department Support and Incentive Grant in the approximate of \$115,227, for the purposes of said grant.
(Be Adopted)
- 211-16. ORDERED THAT: The City of Fitchburg hereby approves the expenditure of funds from the Federal Department of Justice, Office of the Justice Programs, for the FY17 Local JAG Award-LLEBG 20, in the approximate amount of \$28,415, for the purposes of said grant.
(Be Adopted)

Legislative Affairs Committee-Oral Report
Meeting of September 20, 2016

- 219-16. Vincent P. Pusateri, II, Esquire, to enact Chapter 72 Article III Section 6-9 of the City of Fitchburg Ordinance, entitled "Stretch Energy Code" as outlined in the enclosed Petition.

VI. HEARINGS

- 214-16. Mobilitie, LLC, to install backhaul transport equipment on a proposed utility pole in the right of way located north of the intersection of John Fitch Highway & Summer Street as outlined in the enclosed petition.
- 215-16. Mobilitie, LLC, to install backhaul transport equipment on a proposed utility pole in the right of way located south of the intersection of Whalon Street & Pierce Avenue as outlined in the enclosed petition.

VII. ORDERS-FINANCE

- 226-16. ORDERED THAT: The City of Fitchburg hereby approves the expenditure of funds from the Federal Emergency Management Agency (FEMA) administered through MEMA, for the Community Emergency Response Team (CERT), in the approximate amount of \$4,676, for the purposes of said grant.

- 227-16. ORDERED THAT: The City of Fitchburg hereby approves the expenditure of funds from the Massachusetts Department of Conservation and Recreation, for the Recreational Trails Program Grant, in the approximate amount of \$49,995, for the purposes of said grant.
- 228-16. ORDERED THAT: The City of Fitchburg hereby approves the expenditure of funds from the Massachusetts Department of Transportation under its Statewide Complete Streets Program, for the Complete Streets Prioritization, Tier 2 Grant, in the approximate amount of \$49,989.13, for the purposes of said grant.

VIII. ORDERS-OTHER

- 229-16. ORDERED: That the City of Fitchburg sell through the Side Yard Sales Committee: 0 Murkland Street.
- 230-16. ORDERED: That the City of Fitchburg sell through the Side Yard Sales Committee: 185 Water Street.
- 231-16. ORDERED: That the City of Fitchburg sell through the Side Yard Sales Committee: 29 Spring Street.
- 232-16. ORDERED: That the City of Fitchburg sell through the Side Yard Sales Committee: 25 First Street.
- 233-16. ORDERED: That the City of Fitchburg sell through the Side Yard Sales Committee: 125 Clarendon Street.
- 234-16. ORDERED: That the City of Fitchburg sell through the Side Yard Sales Committee: 7 Hale Street.
- 235-16. ORDERED: That the City of Fitchburg sell through the Side Yard Sales Committee: 0 Ohio Ave.
- 236-16. ORDERED: That the City of Fitchburg sell through the Side Yard Sales Committee: 0 Electric Ave.

IX. PETITIONS

- 237-16. Calvin D. Brooks, City Treasurer, to rescind votes taken to sell the listed tax possession properties. They will be sold at auction under MGL Ch. 60, s. 80. City Council is not required to act on these sales. (City Property Committee)

- 238-16. Resident Linda Nickolopulous and Councillor Michael Kushmerek, to repair/repave a section of sidewalk on Pleasant Street between its intersections with Davis & Spring Streets.
(Public Works Committee)
- 239-16. Resident Joan Michelson and Councillor Michael Kushmerek, to remove a tree and repair/resurface sidewalk in front of 202 High Street.
(Public Works Committee)

Next Regular Meeting
7:00PM, Tuesday, October 4, 2016